Application Number	10/782,831	•	Applicant(s)/Patent under Reexamination HIROTSUNE ET AL.				
Document Code - DISQ		Internal Do	cument – DC	NOT MAIL			
TERMINAL DISCLAIMER			☐ DISAPPROVED				
Date Filed : February 14, 2006	This patent is subject to a Terminal Disclaimer						
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION

Docket Number (Optional)

501.40492CX1

cation of: HIROTSUNE, et al.

Application No.: 10/782,831

Filed: 2/23/2004

FOI: OPTICAL RECORDING MEDIUM HAVING UNREADABLE RESTRICTED BLOCK(S), AND SYSTEMS

INCORPORATING SAME

The owner, Hitachi, Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,788,642 and the grant of any patent granted on pending second Application Number 10/782,832, filed on February 23, 2004, of U.S. Patent No. 6,788,642 and any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,788,642 and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of U.S. Patent No. 6,788,642 and any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. (A) The I	undersigned is an attorney or agent of record.	luch free	02/14/2006		
		Signature	Date		
5/12/2006 HALT	11 00000100 10782831				
1 C:1814 130.00 QP	120 Ab op	Melvin Kraus - Reg.No. 22.466			
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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			24-Feb-06	APPL. S. N:	10782831			
To Exami	ner:		DINH, TAN X.	Art Unit	2653			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Cas Drop-Off Location	e JEF-2D68			
SUBJECT	r: Decisio	n on Te	erminal Disclaimer(T.D.) filed:					
form para or have a	agraphs i	dentifie	d by this informal memo in your ne ease see me or the Special Prograr	ext Office action to notify applicant Examiner. THIS IS AN INFORM				
please in	itial, date	and re	turn this memo to me. THANK YOU	J.				
V	The T.D.	is PRO	PER and has been recorded (see 14	1.23).				
	The T.D.	is NOT	PROPER and has not been accepte	d for the reason(s) checked belo	ow (see 14.24):			
) fee of has not been subra deposit account	mitted nor is there any authoriza	tion in the application file for the			
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
			is not an attorney "of record" (s	ee 14.29 and 14.29.01).				
			has failed to state his/her capac	ity to sign for the business entit	y (see 14.28).			
			is not recognized as an officer o	f the assignee (see 14.29 & poss	sible 14.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
		The T.I	D. is not signed (see 14.26 & 14.26	5.03).				
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The pe	riod disclaimed is incorrect or not s	specified (see 14.26, 14.27.02 o	r 14.26.03).			
		Other:						
		Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.						
I have ap	propriate	ly notif	ied applicant(s) of the status of the	e Terminal Disclaimer filed in this	s case.			
Ex.Initial	s:	· · · · · · · · · · · · · · · · · · ·	Date:		Log Date:			